

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

PRENTICE BERNARD JOHNSON,

Criminal No. 07-3610 (JRT/JSM)

Plaintiff,

v.

**ORDER ADOPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE**

COMCAST CORPORATION,

Defendant.

Prentice Bernard Johnson, 2031 Old Shakopee Road, Number 17,
Bloomington, MN 55431, plaintiff *pro se*.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated August 9, 2007. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings, **IT IS ORDERED** that:

1. Plaintiff's "Application to Proceed Without Prepayment of Fees," (Docket No. 3), is **DENIED**; and

2. This action is summarily **DISMISSED** for lack of subject matter jurisdiction, pursuant to Fed. R. Civ. P. 12(h)(3).

DATED: September 6, 2007
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge